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PTO/SB/21 (09-04)

PCT
#3**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

20

Application Number	10/507,932
Filing Date	March 14, 2003
First Named Inventor	Erlander, Mark G.
Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	022041-000710US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/8A/B, ISR, 1 reference, Return Postcard
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Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Kawai Lau		
Date	January 12, 2005	Reg. No.	44,461

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Timothy S. Parker	Date	January 12, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 022041-000710US

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



On January 12, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: Timothy L. Parker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mark G. Erlander, et al.

Application No.: 10/507,932

Filed: March 14, 2003

For: IMPROVED NUCLEIC ACID
AMPLIFICATION

Examiner: Not yet assigned

Art Unit: Not yet assigned

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. A copy of reference BC is enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of an International Search Report dated October 23, 2003, which was issued in counterpart PCT application PCT/US03/07785, and in which references AA-AC and BC were cited.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, because this submission is prior to the issuance of a first Office Action on the merits.

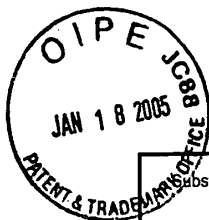
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Kawai Lau
Reg. No. 44,461

TOWNSEND and TOWNSEND and CREW LLP
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San Francisco, California 94111-3834
Tel: 858-350-6100
Fax: 415-576-0300
KL5:tsp
60395339 v1



PTO/SB/08A (08-03)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/507,932		
		Filing Date	March 14, 2003		
		First Named Inventor	Erlander, Mark G.		
		Art Unit	Not yet assigned		
		Examiner Name	Not yet assigned		
Sheet	1	of	2	Attorney Docket Number	022041-000710US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-5,891,636 A	04/06/1999	Van Gelder, et al.	
	AB	US-6,582,906 B1	06/24/2003	Cao, et al.	
	AC	US-6,027,945 A	02/22/2000	Smith, et al.	
	AD	US-4,582,788	04/15/1986	Erich	
	AE	US-4,683,195	07/28/1987	Mullis, et al.	
	AF	US-5,169,766	12/08/1992	Schuster, et al.	
	AG	US-4,786,600	11/22/1988	Kramer, et al.	
	AH	US-5,766,849	06/16/1998	McDonough, et al.	
	AI	US-5,654,142	08/05/1997	Kievits, et al.	
	AJ	US 5,130,238	07/14/1992	Malek, et al.	
	AK	US-5,399,491	03/21/1995	Kacian, et al.	
	AL	US-5,437,990	08/01/1995	Burg, et al.	
	AM	US-5,554,516	09/10/1996	Kacian, et al.	
	AN	US-5,545,522	08/13/1996	Van Gelder, et al.	
	AO	US-5,716,785	02/10/1998	Van Gelder, et al.	
	AP	US-5,914,229	06/22/1999	Loewy	
	AQ	US-5,932,451	08/03/1999	Wang, et al.	
	AR	US-6,110,711	08/29/2000	Serafini, et al.	
	AS	US-			
	AT	US-			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AU							<input type="checkbox"/>
	AV							<input type="checkbox"/>
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	AX							<input type="checkbox"/>
	AY							<input type="checkbox"/>
	AZ							<input type="checkbox"/>
	BA							<input type="checkbox"/>
	BB							<input type="checkbox"/>

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

60395339 v1



PTO/SB/08B (08-03)

Institute for form 1449B/PTO		Complete if Known	
		<i>Application Number</i>	10/507,932
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		<i>Filing Date</i>	
		<i>First Named Inventor</i>	Erlander, Mark G.
		<i>Art Unit</i>	Not yet assigned
		<i>Examiner Name</i>	Not yet assigned
		<i>Attorney Docket Number</i>	022041-000710US
Sheet	2	of	2

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BC	Baugh, L.R., et al. "Quantitative Analysis of mRNA amplification by in vitro transcription", <i>Nucleic Acids Research</i> , (2001) 29(5 e29):1-9	
	BD		
	BE		
	BF		
	BG		
	BH		
	BI		
	BJ		
	BK		
	BL		
	BM		

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.